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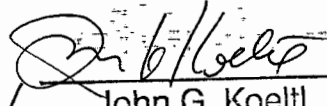
DATE FILED: 12.20.19

December 20, 2019

By ECF To:

The Honorable John G. Koeltl
United States District Judge
United States District Court for the
Southern District of New York
500 Pearl Street
New York, NY 10007

APPLICATION GRANTED
SO ORDERED


John G. Koeltl, U.S.D.J.

Re: McClain, et al. v. City of New York, et al., 18 Civ. 11836 (JGK) (OTW)

Dear Judge Koeltl:

I am counsel for Plaintiffs in the above-captioned civil rights action, and write to respectfully request: (1) that Your Honor vacate the "30 day Order" that was issued on December 18, 2019 (docket # 92); and (2) set January 31, 2020 as the due date for Plaintiffs' attorney's fees and costs application.

Following Your Honor's December 18, 2019 approval of the infant compromise for the infant Plaintiff (docket # 91), I yesterday filed the Rule 68 Offer, Acceptance, and Proof of Service of the Acceptance (docket # 93), and a proposed Judgment Pursuant to Rule 68 (docket # 94).¹

Upon Your Honor's signing of the Judgment Pursuant to Rule 68 and its filing on the docket Plaintiffs will then, pursuant to Fed.R.Civ.P. 54 (d) (2) (B), absent a court order providing otherwise have 14 days to file their attorney's fees and costs application. Because of the holidays and a very busy January, I respectfully request that the Court set the due date for Plaintiffs' attorney's fees and costs application for January 31, 2020. Opposing counsel consents to this due date for the fees and costs application. The requested extension will also permit the parties to make further efforts to see if a settlement can be reached as to the amount of the attorney's fees and costs to be paid in conjunction with the accepted Rule 68 Offer (she will not be able to get back to me concerning my latest proposal until the new year).

¹ The Judgment Clerk yesterday issued e-notifications on the docket stating that these documents were reviewed and approved as to form.

I thank the Court for its consideration in this matter.

Respectfully submitted,

/S/

Jeffrey A. Rothman